

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

IAF 1-2-C11

In re Application of

Bernard BELLEAU et al

Application Number

09/760,380

Filed

January 16, 2001

For

PROCESS FOR PREPARING SUBSTITUTED 1,3-
OXATHIOLANES WITH ANTIVIRAL
PROPERTIES

Group Art Unit

1624

Examiner

Thomas C. McKenzie

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, September 10, 2003, rejecting the following claims: 35, 37, 39, 45, 47, 48, 55, 57, 63, 65-69, 74 and 75.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$330.00.

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ _____.

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 13-3402. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time (three months) under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

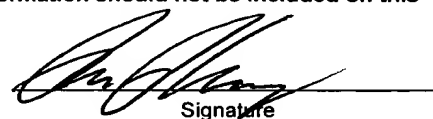
☐ assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed.

☒ attorney or agent of record.

☐ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a) _____.


Signature

Brion P. Heaney, Reg. No. 32,542

Typed or printed name

October 23, 2003

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

10/24/2003 HDEMESS1 00000045 09760380

01 FC:1401

330.00 OP

RECEIVED

OCT 28 2003

TECH CENTER 1600